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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Josho KASHIWAME

SERIAL NUMBER: 10/002,138

: GROUP: 1711

FILED: December 5, 2001

: EXAMINER: R. F. GORR

FOR: URETHANE (METH) ACRYLATE OLIGOMER, PROCESS FOR ITS PRODUCTION
AND PHOTO-CURABLE COMPOSITION

LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

On December 5, 2001, we filed an Information Disclosure Statement listing reference US 5,068,304. Submitted herewith is the Taiwanese Office Action where this reference was cited for the Examiner's consideration.

Respectfully submitted,

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Summarized English translation of the first Official Action issued on February 12, 2003 by the Taiwan Patent Office in the prosecution of corresponding Taiwan Patent Application No. 89111176

The present application is not patentable on the following grounds by virtue of the provision of Article 20, paragraph 2 of the Patent Law.

Reasons:

1. The present application relates to "urethane (meth)acrylate oligomer, process for its production and photo-curable composition", and particularly, the present invention relates to a photo-curable composition having an excellent photo-curability and less surface tackiness, which is obtainable by reacting (A) a polyoxyalkylene polyol (V_{OH} 5-10) having a lower total degree of unsaturation (that is, an amount of polyol is small), (B) a polyisocyanate compound and (C) a hydroxylated (meth)acrylate compound.

2. The main technical feature of the present invention resides in a photo-curable type resin comprising a composition of (A) a polyoxyalkylene polyol (V_{OH} 5-115) having a lower total degree of unsaturation (that is, an amount of polyol is small), (B) a polyisocyanate compound and (C) a hydroxylated (meth)acrylate compound, which satisfies the condition of Formula 1. However, this technical feature is similar to that of US Patent No. 5,068,304 (cited as a prior art). The cited prior art does not illustrate the Formula 1 as defined in Claim 1 of the present application, but in the cited prior art, V_{OH} is 5-35, V_{us} is at most 0.07 and a hydroxyl group number is 2-8, and the prior art becomes the same as the present invention when V_{OH} is 5-10 and V_{us} is 0.06. If the V_{us} value is made further lower, the two technical matters overlap with each other furthermore. Thus, the two applications clearly overlap with each other, and the present invention is easily conceivable to those skilled in the art and has no inventive step.

3. The cited prior art is attached herewith.

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經濟部智慧財產局專利核駁審定書

受文者：旭硝子股份有限公司（代理人：林志剛先生）

地址：臺北市中山區南京東路二段一二五號七樓

發文日期：中華民國九十二年二月十二日

發文字號：（九二）智專二（六）01051字

第〇九二二〇一二二〇九〇號

一、申請案號數：〇八九一一一一七六

二、發明名稱：氨基甲酸酯（甲基）丙烯酸酯低聚物，其製造方法及光硬化性組成物

三、申請人：

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複代理人：

五、申請日期：八十九年六月八日

本 審 信 日	2003 年 2 月 12 日
FILED 受 信 日	2003 年 2 月 14 日

專利分類IPC(7)：... C08G 18/00, C08F 299/06



六、優先權項目：

1 1999/06/10 日本11-164188

七、審查人員姓名：黃道心 委員

八、審定內容：

主文：本案應不予專利。

依據：專利法第二十條第二項。

理由：

(一) 本案所請為「氨基甲酸酯(甲基)丙烯酸酯低聚物，其製造方法及光硬化性組成物」係揭示(A)總不飽和度低(即單醇少)之聚烯化氧聚醇(VOH 5-10)，(B)聚異氰酸酯化合物，(C)含氮氧基之(甲基)丙烯酸酯化合物，反應後得光硬化性良好，且表面tack少之光硬化性組成物。

(二) 本案主要技術特徵係(A)總不飽和度低(即單醇少)之聚烯化氧聚醇(VOH 5-115)，(B)聚異氰酸酯化合物，(C)含氮氧基之(甲基)丙烯酸酯化合物組成之光硬化型樹脂，其滿足式1之條件。但此技術特徵與US 5068304相同(如附件)，雖然前案無式1之表示式，但是前案VOH為5-35，VUS為0.07以下，氮氧基數為2-8，若取VOH為5-10及VUS為0.06，則合於本案，若VUS更低，則適合者更多，故二案重疊明顯，致熟習該項技術者可輕易完成本案，不具進步性。



(三) 檢附引證資料，如附件。

據上論結，本案不符法定專利要件，爰依專利法第二十條第二項，審定如主文。

局長
蔡練生

依照分層負責規定授權單位主管決行

如不服本審定，得於文到之次日起三十日內，備具再審查理由書一式二份及規費新台幣陸仟元整（專利說明書及圖式合計在五十頁以上者，每五十頁加收新台幣五百元，其不足五十頁者以五十頁計），向本局申請再審查。